

3 February 1987
OCA 87-0320

MEMORANDUM FOR: DD/OP
DD/OP/PA&E
C/ALD/OGC

FROM: Legislation Division
Office of Congressional Affairs

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SUBJECT: Whistleblower Protection Act of 1987, H.R. 25

1. Attached for your review and comment is the Whistleblower Protection Act of 1987, H.R. 25, which is identical to the bill passed by the House last fall. It provides greater protection for the rights of Federal employees who disclose Government waste, fraud and mismanagement. It emphasizes that the primary duty of the Office of Special Counsel (OSC) is to protect whistleblowers, which critics of the current law say is not being done. The bill endows Federal employees with a private right of action so that they can bypass the OSC and seek stays and corrective action from the Merit Systems Protection Board and, if necessary, from court.

2. It appears that the bill retains the current protections with respect to safeguarding national security information:

<u>H.R. 25</u>	<u>United States Code</u>
Section 1213(a)(1)	5 U.S.C. § 1206(b)(1)(A)
1213(i)	1206(b)(8)
1213(j)	1206(b)(9)
1213(k)	1206(d)(2)
1216(a)(3)	1206(e)(1)(C)

3. To date there is no indication when action will be taken on the bill. I will inform you if and when any should occur. Please call me on if you have any comments or questions.

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Attachment:
as stated

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